

1 WILLIAM TAMAYO, REGIONAL ATTORNEY
2 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
3 SAN FRANCISCO DISTRICT OFFICE
350 THE EMBARCADERO, SUITE 500
SAN FRANCISCO, CA 94105-1260

4 JOHN F. STANLEY, SUPERVISORY TRIAL ATTORNEY
5 LISA COX, TRIAL ATTORNEY
6 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
909 FIRST AVENUE, SUITE 400
7 SEATTLE, WA 98104
TEL: (206) 220-6859
8 FACSIMILE: (206) 220-6911
Lisa.Cox@eeoc.gov

9 ATTORNEYS FOR PLAINTIFF

10
11
12 UNITED STATES DISTRICT COURT
13 FOR THE WESTERN DISTRICT
OF WASHINGTON AT TACOMA

14
15 EQUAL EMPLOYMENT OPPORTUNITY
16 COMMISSION,

17 Plaintiff

18 v.

19 NELSON INDUSTRIAL SERVICES,
20 INC.,

21 Defendant.
22

CIVIL ACTION NO.

COMPLAINT

JURY TRIAL DEMAND

23 NATURE OF THE ACTION

24 This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the
25 Civil Rights Act of 1991 to correct unlawful employment practices and to provide

COMPLAINT Page 1 of 5

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION
Seattle Field Office
909 First Avenue, Suite 400
Seattle, Washington 98104-1061
Telephone: (206) 220-6883
Facsimile: (206) 220-6911
TDD: (206) 220-6882

1 appropriate relief to Georgiana Meyers, who was adversely affected by such practices.
2 The Equal Employment Opportunity Commission ("EEOC" or "the Commission") alleges
3 that defendant harassed Ms. Meyers because of her sex, creating a hostile work
4 environment. The EEOC also alleges that defendant's conduct, including its failure to
5 take prompt remedial actions to stop the harassment, caused Ms. Meyer's constructive
6 discharge. Plaintiff seeks monetary and injunctive relief, including pecuniary and
7 nonpecuniary compensatory damages and punitive damages.
8

9 JURISDICTION AND VENUE

10 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§451, 1331,
11 1337, 1343 and 1345. This action is authorized and instituted pursuant to Sections
12 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§
13 2000e-5(f)(1) and (3) ("Title VII"), and Section 102 of the Civil Rights Act of 1991, 42
14 U.S.C. §1981a.
15

16 2. The employment practices alleged to be unlawful were committed within
17 the jurisdiction of the United States District Court for the Western District of Washington.
18

18 PARTIES

19 3. Plaintiff, the Equal Employment Opportunity Commission (the
20 "Commission"), is the agency of the United States of America charged with the
21 administration, interpretation and enforcement of Title VII, and is expressly authorized to
22 bring this action by Section 706(f)(1) of Title VII, 42 U.S.C. §2000e-5(f)(1).
23

24 4. At all relevant times, defendant, Nelson Industrial Services, Inc., ("Nelson
25 Industrial") incorporated in the State of Oklahoma, has continuously been a corporation

1 doing business in the State of Washington, and has continuously had at least 15
2 employees.

3 5. At all relevant times, defendant has continuously been an employer
4 engaged in an industry affecting commerce within the meaning of Sections 701(b), (g)
5 and (h) of Title VII, 42 U.S.C. §§2000e-(b), (g) and (h).

6 STATEMENT OF CLAIMS

7 6. More than thirty days prior to the institution of this lawsuit, Georgiana
8 Meyers filed a charge with the Equal Employment Opportunity Commission alleging
9 violations of Title VII by defendant Nelson Industrial. All conditions precedent to the
10 institution of this lawsuit have been fulfilled.

12 7. From at least September, 2005 to May, 2006 defendant engaged in
13 unlawful employment practices at its Washington based facility in violation of § 703(a) of
14 Title VII, 42 U.S.C. §§ 2000e-2(a). Defendant affected the terms and conditions of Ms.
15 Meyers' employment by subjecting her to a sexually hostile work environment and
16 causing her constructive discharge by failing to take prompt remedial actions to stop the
17 harassment.
18

19 8. The effect of the practices complained of in paragraph 7 above has been
20 to deprive Ms. Meyers of equal employment opportunities and otherwise adversely
21 affect her status as an employee of Nelson Industrial because of her sex.

22 9. The unlawful employment practices complained of in paragraph 7 above
23 were intentional.
24
25

1 F. Grant such further relief as the Court deems necessary and proper in the
2 public interest.

3 G. Award the Commission its costs of this action.

4 JURY TRIAL DEMAND

5 The Commission requests a jury trial on all questions of fact raised by its complaint.
6
7

8 DATED this 25th day of September, 2007.
9

10 WILLIAM TAMAYO
11 Regional Attorney

RONALD S. COOPER
General Counsel

12 JOHN F. STANLEY
13 Supervisory Trial Attorney

JAMES L. LEE
Deputy General Counsel

14 LISA COX
15 Trial Attorney

GWENDOLYN Y. REAMS
Associate General Counsel

16 BY: /s/ William Tamayo
17 EQUAL EMPLOYMENT OPPORTUNITY
18 COMMISSION
19 Seattle Field Office
20 909 First Avenue, Ste. 400
21 Seattle, WA 98104-1061
22 Attorneys for Plaintiff
23
24
25